

## SECOND AMENDED

**ASSIGNED**

**NO. 54874**

### APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office MAY 29 1990

Returned to applicant for correction JUL 19 1990

Corrected application filed OCT 01 1990

Map filed OCT 01 1990

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The applicant **McGill-Ruth Consolidated Sewer & Water General Improvement District**, hereby makes application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated.

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1. The source of the proposed appropriation is **Murry Creek & Tributaries**
2. The amount of water applied for is **4 cfs second-feet**
  - (a) If stored in reservoir give number of acre-feet
3. The water to be used for **Municipal & Domestic**
4. If use is for:
  - (a) Irrigation, state number of acres to be irrigated
  - (b) Stockwater, state number and kinds of animals to be watered
  - (c) Other use (describe fully under No. 12. "Remarks")
  - (d) Power:
    - (1) Horsepower developed
    - (2) Point of return of water to stream
5. The water is to be diverted from its source at the following point in the **NW ¼ SE ¼ of Section 10, T.16N., R.63E., M.D.B.&M., whence the Southwest Corner of said Section 10 bears S. 51° 33' 05" W., 4,253.24 feet distant.**
6. Place of Use **All of T.16N., Rs. 62 and 63E., M.D.B.&M.; the W ½ of T.16N., R.64 E., M.D.B.&M.; Sections 1, 2, 11, 12, 13, 14 and the S ½ of T.17N., R.62 E., M.D.B.&M.; All of T.17N., R.63E., M.D.B.&M.; the W ½ of T.17N., R.64E., M.D.B.&M.; the E 1/3 of T.18N., R.63E., M.D.B.&M.; Section 2 and the W 2/3 of T.18N., R.64E., M.D.B.&M.**
7. Use will begin about **January 1<sup>st</sup>** and end about **December 31<sup>st</sup>** of each year.
8. Description of proposed works **The water will be diverted through a municipal distribution system throughout the proposed place of use.**
9. Estimated cost of works **\$2,500,00.00**
10. Estimated time required to construct works **20 years**
11. Estimated time required to complete the application of water to beneficial use **25 years**

12. Remarks: This application will be used to supply future municipal water within the proposed place of use at an annual consumptive rate of 1,795 g.p.m., 24 hours per day, 365 days per year for a total of 943.62 million gallons.

By s/Richard W. Forman  
Richard W. Forman Agent  
P. O. Box 150  
Ely, Nevada 89301

Compared my/cmf hs/cmf

Protested \_\_\_\_\_

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APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to all existing rights on the source. It is understood that the 4.0 c.f.s., herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to a beneficial use. A suitable measuring device must be installed and accurate measurements of the water placed to a beneficial use must be included in the proof of such use when filed. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The total combined duty of water under Permits 45166, Certificate 13437; 45168, Certificate 13438; 45169, Certificate 13439; 45170, Certificate 13440; 45642, Certificate 13442; 51397, Certificate 13860; 54874, 54875, 54891, and 60665 shall not exceed 3,164.55 million gallons annually.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

A monthly report shall be submitted to the State Engineer within 10 days from the end of each month which shall include the amount of water diverted and the amount of water used.

(CONTINUED ON PAGE 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 4.0 cubic feet per second, but not to exceed 943.62 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before:

September 1, 2007

Proof of completion of work shall be filed before:

October 1, 2007

Water must be placed to beneficial use on or before:

September 1, 2009

Proof of the application of water to beneficial use shall be filed on or before:

October 1, 2009

Map in support of proof of beneficial use shall be filed on or before:

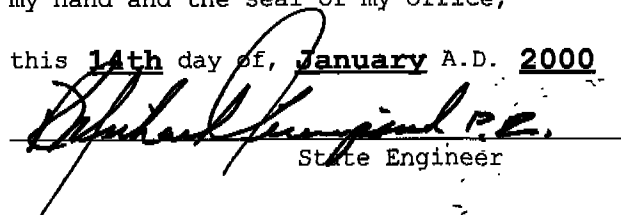
N/A

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 14th day of, January A.D. 2000

  
State Engineer

Completion of work filed \_\_\_\_\_

Proof of beneficial use filed \_\_\_\_\_

Cultural map filed N/A

Certificate No. \_\_\_\_\_ Issued \_\_\_\_\_

